

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Chas Vincent, on March 13, 2017 at 3:00 PM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Chas Vincent, Chair (R)
Sen. Jeffrey W. Welborn, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. Dick Barrett (D)
Sen. Jill Cohenour (D)
Sen. Pat Connell (R)
Sen. Jennifer Fielder (R)
Sen. Jedediah Hinkle (R)
Sen. Mary McNally (D)
Sen. Mike Phillips (D)
Sen. JP Pomnichowski (D)
Sen. Tom Richmond (R)

Members Excused: None

Members Absent: None

Staff Present: Pat Christian, Committee Secretary
Hope Stockwell, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 99, 3/6/2017; HB 140, 3/6/2017; HB 228, 3/6/2017; HB 424, 3/8/2017

Executive Action:

SB 190: Do Pass as Amended
HB 38: Be Concurred In
HB 124: Be Concurred In
HB 156: Be Concurred In
HB 337: Be Concurred In
HB 498: Be Concurred In
SB 235: Do Pass as Amended
SB 215: Tabled
HJ 3: Tabled

HEARING ON HB 424

Opening Statement by Sponsor:

00:01:38 Rep. Zach Brown (D), HD 63, opened the hearing on HB 424, Recognizing source watersheds.

Proponents' Testimony:

00:03:41 Mark Bostrum, Department of Natural Resources and Conservation (DNRC)
00:04:55 Elena Evans, Montana Association of Conservation Districts

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:05:38 Sen. Fielder
00:06:08 Rep. Brown

00:06:59 Sen. Cohenour entered the meeting.

00:07:04 Sen. Fielder
00:08:41 Rep. Brown

Closing by Sponsor:

00:09:57 Rep. Brown

HEARING ON HB 99

Opening Statement by Sponsor:

00:11:17 Rep. Zach Brown (D), HD 63, opened the hearing on HB 99, Limit adverse effects analysis.

Proponents' Testimony:

00:12:31 Abigail St. Lawrence, Montana Association of Realtors
00:17:18 Ronda Wiggers, Montana Water Well Drillers Association
00:18:08 Tammy Johnson, Montana Mining Association

Opponents' Testimony: None

Informational Testimony:

00:19:14 Brian Bramblett, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

00:19:33 Sen. Pomnichowski
 00:20:33 Mr. Bramblett, DNRC
 00:21:04 Sen. Pomnichowski
 00:21:41 Mr. Bramblett
 00:22:09 Sen. Pomnichowski
 00:22:33 Mr. Bramblett
 00:23:20 Sen. Barrett
 00:24:08 Mr. Bramblett

Closing by Sponsor:

00:24:45 Rep. Brown

HEARING ON HB 140

Opening Statement by Sponsor:

00:25:34 Rep. Sharon Stewart-Peregoy (D), HD 42, opened the hearing on HB 140, Clarify water commissioner appointments.

Proponents' Testimony:

00:28:30 Krista Lee Evans, Senior Water Rights Coalition (SWRC)
 00:29:57 Jan Langel, Water Resources Division administrator, Department of Natural Resources and Conservation (DNRC)
 00:30:52 Jay Bodner, Montana Stockgrowers Association
[EXHIBIT\(nas52a01\)](#)

00:32:13 Chelcie Cargill, Montana Farm Bureau Federation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:32:54 Sen. Pomnichowski
 00:34:31 Mr. Langel, DNRC
 00:34:51 Sen. Pomnichowski
 00:35:18 Mr. Langel
 00:35:26 Sen. Pomnichowski
 00:35:43 Mr. Langel
 00:36:06 Chair Vincent
 00:36:21 Ms. Evans, SWRC
 00:37:23 Sen. Barrett
 00:38:11 Ms. Evans
 00:38:56 Sen. Barrett
 00:39:54 Ms. Evans

Closing by Sponsor:

00:40:32 Rep. Stewart-Peregoy

HEARING ON HB 228

Opening Statement by Sponsor:

00:40:58 Rep. Jim Keane (D), HD 73, opened the hearing on HB 228, Provide funding for sage grouse stewardship.

Proponents' Testimony:

00:42:24 John Tubbs, director, Department of Natural Resources and Conservation (DNRC)
 00:44:07 Alan Olson, Montana Petroleum Association
 00:45:54 Peggy Trenk, Treasure State Resource Industry Association
 00:46:47 Todd O'Hair, Cloud Peak Energy
 00:47:20 Glenn Marx, Montana Association of Land Trusts
 00:49:39 Tammy Johnson, Montana Mining Association
 00:51:11 Amy Seaman, Montana Audubon
 00:53:19 Chelcie Cargill, Montana Farm Bureau Federation
 00:55:12 Elena Evans, Montana Association of Conservation Districts
 00:55:39 Mike Murphy, Montana Water Resources Association
 00:56:09 Jay Bodner, Montana Stockgrowers Association
 00:57:22 Rep. Ray Shaw, HD 71, speaking for himself

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:58:28 Sen. Cohenour
 00:58:50 Mr. Tubbs, DNRC
 00:59:15 Sen. Fielder
 00:59:26 Mr. Tubbs
 01:01:20 Sen. Fielder
 01:01:39 Mr. Tubbs
 01:02:44 Sen. Fielder
 01:04:00 Mr. Tubbs
 01:06:21 Sen. Hinkle
 01:06:45 Mr. Tubbs
 01:07:00 Sen. Hinkle
 01:07:19 Mr. Tubbs
 01:08:10 Chair Vincent
 01:08:25 Mr. Tubbs
 01:08:49 Chair Vincent
 01:08:58 Mr. Tubbs

Closing by Sponsor:

01:10:13 Rep. Keane
01:12:11 Recess
01:29:06 Reconvened

EXECUTIVE ACTION ON SB 190

01:29:54 **Motion:** Sen. Phillips moved that **SB 190 DO PASS.**
01:30:25 **Motion/Vote:** Sen. Phillips moved that **SB 190 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(nas52a02)

01:31:16 **Motion:** Sen. Phillips moved that **SB 190 DO PASS AS AMENDED.**

Discussion:

01:31:27 Sen. Vincent
01:32:01 Sen. Fielder
01:32:56 **Vote:** Motion carried 8-4 by roll call vote with Sen. Ankney, Sen. Fielder, Sen. Hinkle and Sen. Richmond voting no.

EXECUTIVE ACTION ON SB 215

01:34:09 **Motion:** Sen. Cohenour moved that **SB 215 DO PASS.**
01:34:19 **Substitute Motion/Vote:** Sen. Welborn made a substitute motion that **SB 215 BE TABLED.** Substitute motion carried 10-2 by roll call vote with Sen. Fielder and Sen. Hinkle voting no.

EXECUTIVE ACTION ON HB 38

01:35: 41 **Motion:** Sen. Cohenour moved that **HB 38 BE CONCURRED IN.**

Discussion:

01:35:52 Sen. Connell
01:36:19 Sen. Cohenour
01:36:23 Chair Vincent
01:36:34 Sen. Connell
01:36:45 **Vote:** Motion carried unanimously by voice vote. Sen. Connell will carry the bill.

EXECUTIVE ACTION ON HB 337

01:37:42 **Motion:** Sen. Welborn moved that **HB 337 BE CONCURRED IN.**

Discussion:

01:37:54 Sen Cohenour
 01:38:29 Sen. Phillips
 01:38:56 Chair Vincent
 01:39:17 Sen. Pomnichowski
 01:41:04 Chair Vincent
 01:41:28 Sen. Fielder
 01:41:49 Chair Vincent

01:42:12 **Vote:** Motion carried 10-2 by roll call vote with Sen. Cohenour and Sen. Pomnichowski voting no. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 156

01:43:16 **Motion:** Sen. Welborn moved that **HB 156 BE CONCURRED IN.**

Discussion:

01:43:34 Sen. McNally

01:44:16 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McNally, Sen. Phillips and Sen. Pomnichowski voting no. Sen. Ankney will carry the bill.

Discussion:

01:45:33 Sen. Pomnichowski

EXECUTIVE ACTION ON HB 124

01:46:03 **Motion/Vote:** Sen. Welborn moved that **HB 124 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Cohenour will carry the bill.

EXECUTIVE ACTION ON HB 498

01:46:50 **Motion:** Sen. Hinkle moved that **HB 498 BE CONCURRED IN.**

Discussion:

01:47:00 **Vote:** Motion carried unanimously by voice vote. Sen. Hinkle will carry the bill.

EXECUTIVE ACTION ON SB 235

01:48:15 **Motion:** Sen. Richmond moved that **SB 235 DO PASS.**

01:48:18 **Motion:** Sen. Richmond moved that **SB 235 BE AMENDED.**

[EXHIBIT](#)(nas52a03)

Discussion:

01:49:08 Sen Phillips
 01:49:31 Sen. Richmond
 01:50:14 Sen. Pomnichowski
 01:50:59 Sen. Richmond
 01:51:29 Chair Vincent

01:51:47 **Vote:** Motion carried 11-1 by roll call vote with Sen. Pomnichowski voting no.

01:52:54 **Motion:** Sen. Richmond moved that **SB 235 DO PASS AS AMENDED.**

Discussion:

01:53:00 Sen. McNally
 01:55:16 Sen. Connell
 01:56:50 Sen. Phillips
 01:57:29 Sen. Richmond
 01:58:06 Sen. Phillips
 01:58:25 Chair Vincent
 01:59:52 Sen. Ankney
 02:00:47 Sen. Pomnichowski
 02:02:18 Chair Vincent
 02:02:28 Sen. Pomnichowski
 02:02:36 Sen. Hinkle
 02:03:14 Sen. Cohenour
 02:05:54 Sen. Hinkle
 02:06:17 Sen. Cohenour
 02:06:40 Sen. Fielder
 02:07:00 Chair Vincent
 02:07:50 Sen. McNally

02:09:05 **Vote:** Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McNally, Sen. Phillips and Sen. Pomnichowski voting no.

EXECUTIVE ACTION ON HJ 3

02:10:00 **Motion:** Sen. Welborn moved that **HJ 3 BE CONCURRED IN.**

Discussion:

02:10:07 Chair Vincent
 02:10:41 Sen. Barrett

02:11:22 **Vote:** Motion failed 1-11 by roll call vote with Sen. Hinkle voting aye.

02:12:12 **Motion/Vote:** Sen. Welborn moved that **HJ 3 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

Committee Business:

02:12:30	Sen Vincent
02:12:55	Sen. Phillips
02:13:00	Sen. Vincent

ADJOURNMENT

Adjournment: 5:17 PM

Pat Christian, Secretary

pc

Additional Documents:

EXHIBIT([nas52aad.pdf](#))